



**IN THE HIGH COURT OF KARNATAKA,
KALABURAGI BENCH**

DATED THIS THE 17TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

MISCL. FIRST APPEAL NO. 202086 OF 2024 (LAC)

BETWEEN:

1. THE SPECIAL LAND ACQUISITION OFFICER
UKP, BHIMARANAGUDI, TQ: SHAHAPUR
DISTRICT YADGIRI-589210.
2. THE DEPUTY COMMISSIONER
KALABURAGI DISTRICT, KALABURAGI-585101.
3. KRISHNA BHAGYA JALA NIGAM LTD.,
REPRESENTED BY ITS MANAGER DIRECTOR
NRUPATUNGA ROAD, BENGALURU-560001.

...APPELLANTS

(BY SRI. Y.H.VIJAYAKUMAR, AAG A/W SRI. VEERANAGOUDA
MALIPATIL, HCGP)

AND:

G. RAJSHEKHAR REDDY S/O G. RAGHAV REDDY
AGE: MAJOR,
OCC: AGRICULTURE AND PRIVATE SERVICE
R/O SANNATI, TQ: CHITTAPUR,
DISTRICT KALBURAGI-586101.
NOW AT PRESENT HYDERABAD (TELANGANA STATE)

...RESPONDENT

THIS MFA IS FILED UNDER SECTION 74(1) OF THE RIGHT
TO FAIR COMPENSATION AND TRANSPARENCY IN LAND
ACQUISITION, REHABILITATION AND RESETTLEMENT ACT,
2013 PRAYING TO CALL FOR THE RECORDS IN



L.A.C.NO.208/2019 PASSED BY THE LEARNED I ADDITIONAL DISTRICT JUDGE, KALABURAGI AND THE LAND ACQUISITION, REHABILITATION AND RESETTLEMENT AUTHORITY AT KALABURAGI, DATED 17.04.2023 AND ALLOW THE ABOVE APPEAL AND TO SET ASIDE THE JUDGMENT AND AWARD DATED 17.04.2023 IN L.A.C.NO.208/2019 PASSED BY THE LEARNED I ADDITIONAL DISTRICT JUDGE, KALABURAGI AND THE LAND ACQUISITION, REHABILITATION AND RESETTLEMENT AUTHORITY AT KALABURAGI, IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

The present appeal, filed under Section 74(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, challenges the judgment and award dated 17.04.2023 passed in LAC No.208/2022. However, the appeal is filed after a delay of 230 days beyond the statutory limitation period of 120 days prescribed under Section 74(1) of the Act. This Court, following the Division Bench ruling in MFA No.102543/2022 dated 23.09.2024, holds that the limitation period under the Act is mandatory and non-



extendable. Relying on precedents, including *Union of India vs. Popular Construction Co.* and *State of Kerala vs. V.R. Kalliyankutty [AIR 1999 SC 1305]*, the appeal is dismissed as time-barred, without addressing the merits. Parties shall bear their respective costs.

In view of disposal of main appeal, pending applications, if any, stand rejected.

The Court fee paid, if any, shall be refunded in accordance with law.

SD/-
(SACHIN SHANKAR MAGADUM)
JUDGE